

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANTHONY CASIANO,

Plaintiff,

-v.-

CAPT. THEAGERE, NO. 1851;  
CORRECTIONAL OFFICER K. LUTON,  
NO. 5144; CORRECTIONAL OFFICER C.  
FOOTE, NO. 5509; CORRECTIONAL  
OFFICER T. GRAY, NO. 17389;  
CORRECTIONAL OFFICER K. SHEPARD,  
NO. 11487; CORRECTIONAL OFFICER  
RUCKER, NO. 2398; CORRECTIONAL  
OFFICER B. GERADEAU, NO. 9037;  
CORRECTIONAL OFFICER A.  
CAPEHART, NO. 3713; CORRECTIONAL  
OFFICER SEIVWRIGHT, NO. 17414;  
NICOLAS FRANTZ; WARDEN KISA  
SMALLS; and THE CITY OF NEW YORK,

Defendants.

19 Civ. 5226 (KPF)

**ORDER**

KATHERINE POLK FAILLA, District Judge:

The Court is in receipt of Plaintiff's request for leave to conduct depositions of the Defendants in this matter. (Dkt. #224). Counsel for Defendants has advised the Court that Defendants are amenable to being deposed by Plaintiff. However, the parties have yet to coordinate a mutually agreeable time for these depositions to take place.

The Court is aware that Plaintiff is scheduled to sit for a deposition by defense counsel via videoconference on February 25, 2022. (Dkt. #221-222). To facilitate Plaintiff's requested depositions, the parties are hereby ORDERED to discuss the logistics of the depositions of Defendants in this case when they

meet on February 25, 2022. On or before February 28, 2022, defense counsel shall submit a letter informing the Court of the parties' plan to conduct the depositions requested by Plaintiff. If necessary, the letter should include a request to extend the fact discovery period, which the Court intends to grant to permit Plaintiff the opportunity to depose the relevant parties.

The Court wishes to make Plaintiff aware of the possibility that he may depose defendants via written questions, pursuant to Federal Rule of Civil Procedure 31, instead of by oral examination.

The Clerk of Court is directed to mail a copy of this Order to Plaintiff at his address of record.

SO ORDERED.

Dated: February 18, 2022  
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

---

KATHERINE POLK FAILLA  
United States District Judge